

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department – Building – Private Building occupied by the Office of the Deputy Commercial Tax Officer, Gooty – Certain Lapses in submitting the proposals for fixation of rent by Sri M. Sessaiah, Deputy Commercial Tax Officer, Gooty – Charges framed – Explanation submitted – Enquiry Officer's report – Submitted – Further action – Dropped – Orders – Issued.

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REVENUE (VIG.I) DEPARTMENT

**G.O. (Rt.) No. 102.**

**Dt.23.01.2009.**

Read the following:-

- 1) Charge Memo No.DZ(4)B37/2003, dt.11.09.2003.
- 2) CCT's Ref.No.V.II/1337/2003-1, dt.28.9.2005.
- 3) AC (CT) (LTU), Anantapur Rc. No.A1/Confdl/148/2007, dt.16.11.2007.
- 4) CCT's Lr. Ref. No.V2/1337/2003, dt.28.06.2008.

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**ORDER:**

In the reference first read above, charges have been framed against Sri M. Sessaiah, formerly Deputy Commercial Tax Officer, Gooty (now Retired) as he has wrongly submitted the plinth area in excess of the private building and caused excess payment of the rent for Rs.43,307/- for the period from 15.03.1999 to April, 2000.

2) And whereas in the reference second read above, Enquiry Officer has been appointed to conduct detailed enquiry and to submit his report.

3) And whereas in the reference third above, the Enquiry Officer has submitted Enquiry Report. The Enquiry Officer in his report dt.16.11.2007 has stated that the excess paid amount is Rs.43,707/-, and an amount of Rs.42,318/- has been adjusted by way of future rents and the balance of Rs.989/- remitted into the Government Account by the owner of the building and no loss occurred to the Government exchequer. After adjusting the excess paid rent from the future rent and after remitting the remaining balance of an amount of Rs.989/- into the Government account the owner of the building filed OS No.47/2002 before the Rent Controller of Civil Judge, Gooty and also approached the Hon'ble High Court by filing W.P. No.165339/2002.

4) The Hon'ble Junior Civil Judge, Gooty dismissed the OS No.47/2002 as the plaintiffs not responded and did not filed any restoration petition within the time. The outcome of the W.P., is still awaited in the Hon'ble Court.

5) And whereas in the reference fourth read above, the Commissioner of Commercial Taxes has forwarded the Enquiry Report to the Government and requested the Government to communicate the orders.

4) Government after careful examination of the matter in detail hereby decided to drop further action against Sri M. Sessaiah, formerly Deputy Commercial Tax Officer, Gooty (now Retired) subject to the outcome of the W.P. filed by the building owner.

P.T.O.

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5) The Commissioner of Commercial Taxes shall take necessary action in the matter and furnish the Action Taken Report to Government.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH )

G. SUDHIR  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioner of Commercial Taxes,  
A.P., Hyderabad.  
The individual through Commissioner of Commercial Taxes,  
A.P., Hyderabad.  
File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER